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Brazil

Food and Agricultural Import Regulations and Standards

New Procedures for Registration of U.S. Meat, Dairy and Fish Plants

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Report Highlights:

Entry of U.S. meat, dairy and fish products into Brazil will soon become more difficult and bureaucratic. Registration of new and plants for meat, dairy and fish products has been blocked under the existing procedures until Brazilian officials approves the U.S. inspection system. However, during a transition period, all U.S. meat, dairy and fish plants currently approved for export to Brazil will retain approval until September 2, 1999. Pre-approval of labels will also be mandatory beginning January 4, 2000 for all processed meat, dairy and fish products. Approval of U.S. plants requires official USG responses to Brazilian questionnaires, and possible visits by Brazilian officials to U.S. plants.

Includes PSD changes: No
Includes Trade Matrix: No
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Executive Summary:

U.S. companies exporting to Brazil products of animal origin (beef, pork, poultry, dairy, and fish products) needed to have their U.S. plants registered with the Ministry of Agriculture and Food Supply (MAA). The registration of U.S. plants was based on the informal acceptance by Brazilian officials of the U.S. registration numbers of these plants with federal U.S. Government agencies, such as FSIS/USDA (meat and meat products), AMS/USDA (milk and dairy products), and FDA and/or NOAA/USDOC (fish and fish products). There was no need for on-site review of these plants, and no need for registration of U.S. labels. Only a small sticker attached to the original label with the most important information about the product in Portuguese language was required.

However, with the publication of Directives 371/97 and 183/98, the Department of Animal Origin Products Inspection Service (DIPOA) of the Ministry of Agriculture and Food Supply (MAA) changed substantially the registration process for foreign plants to export products of animal origin to Brazil, as well for pre-approval of their labels.

Current U.S. plants already registered with DIPOA/MAA will be allowed to export to Brazil until September 2, 1999. As of that deadline, only those plants approved under the new system will be allowed to export to Brazil.

Also, after January 4, 1999 DIPOA/MAA will not allow products of animal origin to be sold in Brazil unless these products have their labels pre-approved by Brazilian officials.

Registration of U.S. Meat Plants:

According to Resolution Number 1 of January 21, 1999 which was published in Brazil's Federal Register (Diário Oficial) on March 2, 1999 the U.S. Government must complete an official questionnaire and request a visit of Brazilian veterinarian inspectors to approve or revalidate the U.S. inspection system for meats (beef, pork and their products only).

Note: Brazilian officials do not register U.S. poultry plants for exports of fresh/frozen poultry (broilers or turkey) because of the lack of reciprocity from the United States. Processed products, such as prepared dinner entrées containing poultry meat may be considered for registration on a case by case basis.

All U.S. companies that want to export beef, pork and their products to Brazil must be first registered with the Food Safety and Inspection Service (FSIS), U.S. Department of Agriculture (USDA). DIPOA/MAA does not accept U.S. plants under state inspection. Companies producing game meat, such as ostrich and boar meat can also be considered for registration with Brazilian officials if they are registered with FSIS/USDA.

After the completion of the questionnaire concerning the U.S. inspection system, DIPOA/MAA will approve the U.S. inspection system for meats and a Brazilian Veterinarian Mission (BVM) may visit the United States to do an on-site review of several U.S. meat plants, probably done on a random list, or a list of plants mutually agreed between U.S. and Brazilian officials.

Future registration of U.S. meat establishments for export to Brazil will be approved only at the request of FSIS/USDA through the Office of Agricultural Affairs (OAA), located in the American Embassy, Brazil.

All U.S. meat establishments currently approved for export meat and their products to Brazil will retain their authorization to export their products to Brazil until September 2, 1999. After that date, only establishments approved under the new system will be eligible to export to Brazil.

All U.S. companies must provide in writing to FSIS/USDA their request to export to Brazil the following information:

- a) Full name and address of the plant
- b) Plant registration number with the FSIS/USDA
- c) Description of the product to be exported to Brazil (indicating if the product is fresh or frozen, etc.)

Brazil's Department of Animal Origin Products Inspection Service (DIPOA), Ministry of Agriculture and Food Supply (MAA) also requires that in addition to the registration of the foreign plant, the U.S. exporter must also file a request for registration of foreign labels of processed meat products. The registration process requires completing a Brazilian questionnaire about the products, response normally delivered to DIPOA/MAA officials by the Brazilian importer or agent.

Although the pre-approval of labels was introduced in September 1997 through Directive 371, it has not been enforced. However, as per Normative Instruction Number 5, published in Brazil's Federal Register (Diário Oficial), DIPOA/MAA will not allow entry of imported processed meat products into Brazil after January 4, 2000 if the conditions of Directive 371 are not met. This means that all U.S. exporters of processed meat products must get their labels pre-approved by DIPOA/MAA. Copies of the questionnaire (Portuguese/English) can be obtained from the Office of Agricultural Affairs (OAA), American Embassy, Brazil.

Brazilian Consumer Protection Law number 8,070/90 also requires that all processed food and beverage imports provide the consumer with correct, precise, clear and easily readable information about the product in Portuguese.

In addition to the registration of the U.S. plant and the pre-approval of labels with DIPOA/MAA, U.S. exporters must thus work out with their importer, agent or distributor a way to print a small adhesive label in Portuguese, which will be affixed to the foreign label, with the following information about the product in order to meet the requirements of the Consumer Law:

name of product; ingredients; country of origin; special storage instructions (when necessary); net weight (in metric units); date of production; expiration date (shelf life, established by the manufacturer of the product).

Registration of U.S. Dairy Plants:

All the information outlined above for registration of meat plants applies for registration of U.S. dairy plants, including the requirements of the Consumer Protection Law.

The difference is that U.S. dairy exporters must have their plants registered with the Agricultural Marketing Service (AMS), U.S. Department of Agriculture. No state inspection system is accepted by Brazil.

Registration of U.S. Fish Plants:

All the information outlined above for registration of meat and dairy plants, including the requirements of the Consumer Protection Law, applies for registration of U.S. fish products.

The only difference is that U.S. fish exporters must have their plants registered with the Food and Drug Administration (FDA), or with the National Oceanic and Atmospheric Administration (NOAA), National Marine Fisheries Service (NMFS), U.S. Department of Commerce. No state inspection system is accepted by Brazil.